**HON'BLE SRI JUSTICE V. ESWARAIAH**

**W.P.NO. 4809 OF 2007**

Between:

M. Subbalakshumma and another

… Petitioners

and

The Superintendent of Police, Kadapa and another

… Respondents

**HON'BLE SRI JUSTICE V. ESWARAIAH**

**W.P.NO. 4809 OF 2007**

**ORAL ORDER:**

The case of the petitioners is that the RDO, Kadapa, assigned house-site patta admeasuring 0.03 cents in favour of each of the petitioners in Sy.No.186/1, Chinna Chowk, Kadapa, on the market value and after paying the market value, when they have started construction, one Nakkala Kadipenna and his sons filed O.S.No.116 of 1997, on the file of the 3rd Additional Junior Civil Judge, Kadapa seeking injunction against the petitioners, which was dismissed on 16.2.2000, against which they filed A.S.No.90 of 2000 and the same was also dismissed on 5.7.2004. Aggrieved thereby, they also preferred S.A.No.370 of 2005 before this court, which was also dismissed on 25.7.2005.

It is stated that even after the dismissal of the suit filed by them, they have been interfering with the peaceful possession and enjoyment of the suit property. It is the case of the petitioners that they have filed a complaint, which was registered as Cr.No.277 of 2004 for the offences punishable under Sections 447, 341 and 500 of the Indian

Penal Code. It is stated that even after registering the crime in the year 2004, they have again attacked the son of the 2nd petitioner with deadly weapons and caused injuries and therefore on the complaint filed by the petitioners, the 2nd respondent registered Cr.No.64 of 2005. It is stated that as the petitioners are entitled to protect their property and construct the house in accordance with law, they have filed a representation before the 1st respondent for police protection for their person and property and though the said representation was received on 27.6.2005, no action has been initiated.

I am not inclined to express any opinion whether the said representation is, in fact, the same representation, enclosed as material papers (P-1) and whether the same has been sent or not. However, the fact remains that the petitioners have filed certain postal acknowledgments in support of their claim.

If any such representation is pending before the 1st respondent, the 1st respondent may consider and pass appropriate orders in accordance with law, within four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

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**V. ESWARAIAH, J**

**DATE: 9.3.2007**
**CVM**